

REMARKS

The present Amendment and Response is in response to the Office Action dated August 8, 2003, where the Examiner has objected to the disclosure, and has rejected claims 1-20. By the present amendment, claims 2, 14 and 17 have been cancelled, and claims 1, 3-4, 13, and 15-16 have been amended. After the present amendment, claims 1, 3-4, 13, 15-16, and 18-20 remain in the application. Reconsideration and allowance of pending claims in view of the amendments and the following remarks are respectfully requested.

A. Objection to Disclosure

The Examiner has objected to the disclosure. By this amendment, Applicant has amended the relevant paragraphs of the specification to overcome the Examiner's objection.

B. Rejection of claims 1, and 5-12 under 35 USC §103(a)

The Examiner has rejected claims 1, and 5-12 under 35 USC §103(a), as being unpatentable over Rahamim et al. (USPN 6,351,530) (hereinafter "Rahamim") in view of Pitsch (USPN 6,163,447) (hereinafter "Pitsch"). For the reasons discussed below, Applicant respectfully submits that the present invention, as defined by amended independent claim 1, is patentably distinguishable over Rahamim and Pitsch, either singly or in combination.

Amended independent claim 1 recites:

1. A data access arrangement for use in a communications device having a chassis ground, the data access arrangement circuit comprising:
 - network interface circuitry;
 - a diode bridge having a first pair of terminals for coupling data signals to a network connection and a second pair of terminals coupled to the network interface circuitry;
 - a high voltage clamping device disposed between the second pair of terminals;
 - a first capacitor coupled between the chassis ground and one of the terminals of the second pair of terminals; and
 - a second capacitor coupled between the chassis ground and the other terminal of the second pair of terminals.

The Examiner acknowledges that Rahamim does not disclose all of the above-recited limitations of claim 1 (Office Action, page 3.) However, the Examiner relies on Pitsch and states that:

Pitsch teaches that telephone and modem equipment may experience damaging signal conditions which may expose the interface circuitry to an over voltage condition (Col 1 lines 12-30). He discloses sidactor™ S coupled across the terminals of the diode bridge on the network interface side (Fig. 1, Col. 4, lines 15-24). It would have been obvious to one of ordinary skill in the art at the time of this application to utilize a high-voltage clamping device in the same way as Pitsch in order to protect the modem circuitry from an over-voltage condition. (Office Action, page 3.)

Pitsch specifically discloses:

The first and second input terminals of the modem 30 are coupled to respective bidirectional terminals of a full-wave bridge circuit B. A sidactor® S is coupled between a positive voltage terminal + of the bridge circuit B and a negative voltage terminal - of the bridge circuit B. (Pitsch column 3, lines 44-48.)

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This provides protection against over-voltage across the modem circuitry 30. In a preferred embodiment, the trigger voltage of the sidactor® is 275 to 300 volts.
(Pitsch column 4, lines 21-24.)

Thus, Pitsch's FIG. 1 and its detailed description specifically disclose that a "sidactor® S is coupled between a positive voltage terminal + of the bridge circuit B and a negative voltage terminal - of the bridge circuit B" and as shown in Pitsch's FIG. 1, these are all on the "modem" side of Pitsch's "bridge circuit B." However, Pitsch does not teach, disclose, or suggest:

"a high voltage clamping device disposed between the second pair of terminals; a first capacitor coupled between the chassis ground and one of the terminals of the second pair of terminals; and a second capacitor coupled between the chassis ground and the other terminal of the second pair of terminals"

as recited in amended claim 1 and as shown in Applicant's FIG. 1.

Moreover, in relation to Rahamim's Fig. 4B, Rahamim's description states: "In addition, a metal oxide varistor 308 is coupled between the tip connection 300 and ring connection 302 to provide lightning and surge protection." Rahamim column 9, lines 39-41. Thus, Rahamim does not teach, disclose or suggest "a high voltage clamping device disposed between the second pair of terminals"; nor does Rahamim suggest any advantage in any location other than "between the tip connection 300 and ring connection 302 to provide lightning and surge protection." Thus, Rahamim not only fails to suggest all the elements of claim 1, but Rahamim does not even disclose a motivation to combine with Pitsch.

In light of the discussion above, Applicant respectfully submits that the cited references also fail to disclose, teach, or suggest the desirability of the above-recited combined elements of claim 1, i.e. “a high voltage clamping device disposed between the second pair of terminals; a first capacitor coupled between the chassis ground and one of the terminals of the second pair of terminals; and a second capacitor coupled between the chassis ground and the other terminal of the second pair of terminals.” It is not sufficient to take bits and pieces of various references, where there is no teaching or suggestion by any of the references to combine such bits and pieces to create the inventive “data access arrangement” of claim 1. Applicant respectfully submits that it is not sufficient to find various elements in other references without showing how one reference teaches or suggests the desirability of making the combination that the Examiner suggests.

Thus, for the reasons stated above, the cited references do not disclose, teach, or suggest the combination of elements recited in claim 1. Therefore, the present invention as defined by independent claim 1, is patentably distinguishable over Rahamim and Pitsch, either singly or in combination, for at least the reasons stated above. Accordingly, Applicant respectfully submits that independent claim 1, and its dependent claims 3-12, should be allowed.

C. Rejection of Claims 2-4 under 35 USC §103(a)

The Examiner has rejected claims 2-4 under 35 USC §103(a), as being unpatentable over Rahamim in view of Pitsch. Applicant respectfully submits that

dependent claims 2-4, are patentably distinguishable over Rahamim and Pitsch, and should be allowed for at least the reasons discussed above in connection with patentability of independent claim 1.

D. Rejection of Claim 13 under 35 USC §103(a)

The Examiner has rejected claim 13 under 35 USC §103(a) as unpatentable over Rahamim in view of Pitsch. By the present amendment, independent claim 13 includes claim limitations similar to those in claim 1 and, thus, claim 13 should also be allowed for at least the reasons stated above in conjunction with patentability of claim 1.

E. Rejection of Claims 14-15 under 35 USC §103(a)

The Examiner has rejected claims 14-15 under 35 USC §103(a) as unpatentable over Rahamim in view of Pitsch. Because claim 14 is cancelled by the present amendment, the Examiner's rejection is rendered moot; and dependent claim 15 should be allowed for at least the reasons stated above in conjunction with patentability of claim 13.


F. Rejection of Claims 16 and 18-20 under 35 USC §103(a)

The Examiner has rejected claims 16 and 18-20 under 35 USC §103(a), as being unpatentable over Rahamim in view of Pitsch. Applicant respectfully submits that independent claim 16 contains claim limitations similar to those in claim 1 and, thus, claim 16 is patentably distinguishable over Rahamim and Pitsch, and further its dependent claims 18-20 should be allowed for at least the reasons discussed above in connection with patentability of independent claim 1.

G. Conclusion



For all the foregoing reasons, allowance of claims 1, 3-13, 15-16, and 18-20 pending in the present application, is respectfully requested.

Respectfully Submitted;
FARJAMI & FARJAMI LLP


Michael Farjami, Esq.
Reg. No. 38,135

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Michael Farjami, Esq.
FARJAMI & FARJAMI LLP
16148 Sand Canyon
Irvine, California 92618
Tel: (949) 784-4600
Fax: (949) 784-4601

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